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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,274	06/27/2001	Marcellino Tanumihardja	14067.0067	5243
42292	7590	09/14/2011	EXAMINER	
Wolff & Samson PC Attn: Jeffrey M. Weinick One Boland Drive West Orange, NJ 07052				POINVIL, FRANTZY
ART UNIT		PAPER NUMBER		
3691				
			MAIL DATE	DELIVERY MODE
			09/14/2011	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/894,274	TANUMIHARDJA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	FRANTZY POINVIL	3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1)  Responsive to communication(s) filed on 27 June 2011.
- 2a)  This action is **FINAL**.                                    2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 5)  Claim(s) 1-3,5-25,27-46 and 48-81 is/are pending in the application.
  - 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) \_\_\_\_\_ is/are allowed.
- 7)  Claim(s) 1-3,5-25,27-46 and 48-51 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some \* c)  None of:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date <u>6/27/11</u> .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 5-25, 27-46 and 48-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitchen et al (US Patent No. 7,120,602).

As per claim 1, 23, 45, 46, 65 and 78, Kitchen et al disclose a system, method and computer program product for allowing a payor or client to set up or enroll in a bill receiving system having a central system for compiling bills from a plurality of billers and for allowing the payor or client to receive billing statements from one or more of the plurality of billers. See the abstract. The payor may request the billing statements or the billing statements may be accessed by the payor or the billing statement may periodically be sent to the payor. See column 3, line 61 to column 4, line 2, column 4, lines 57-63 and column 12, lines 57-62 of Kitchen et al. The request or notice is a managed message from a computations entity to a device of the payor. The managed message enabling a payment transaction for paying the one or more billers. See also the abstract and column 7, lines 15-66 of Kitchen et al.

Kitchen et al further teach :

receiving, from the payor, a payment transaction authorization associated with input responsive to the managed message and receiving an affirmative response in reply to the managed message

from the first user in response to a successful payment associated with the payment transaction authorization. Applicant is directed to column 8, line 55 to column 10, line 6.

Kitchen et al do not explicitly state the managed message enabling a payment transaction from each of the first payor or user and a second user. As per this limitation, the examiner asserts that since the messages are electronic messages that can be sent to a mobile device or computer and that it is common practice to send an Email to one or more recipients in an Email message, accordingly, the payor may designate to receive a payment notice at one or more designated email addresses (such as his/her spouse or children/relatives). Thus, when and if the payor makes a payment to a biller the payment authorization would have been made as being independent from another ones of the email message recipients.

As per claims 2, 3, 5, 24-25, 27 and 48, the device of the payor may be a computer or laptop or mobile phone which each of these devices accepts/receives voice input/output and alphanumeric inputs/outputs (column 7, lines 27-45).

As per claims 6, 8, 12, 30, 34, 51, 55 and 68, Kitchen et al disclose the payment authorization associated with input responsive to the managed message comprises receiving a signal associated with input authorizing an automatic check handling transaction (column 9, lines 39-64).

As per claims 7, 9, 10, 11, 14, 15, 28, 29, 31, 32, 33, 49, 50, 52, 53, 54, 66, 67 and 69, Kitchen et al state that the payor may use a plurality types of payment sources. Thus, a debit card and/or a payment card would have been obvious to one of ordinary skill in the art to include

in the system, method and computer program product of Kitchen et al in order to provide alternate payment method or means therein, thus making the system and method more versatile and attractive to many users or potential customers.

As per claims 13, 16-20, 35-42, 56-62 and 70-76, see column 11, lines 5-65 of Kitchen et al.

2. Claims 21-22, 43-44, 63-64, 77 and 79-81, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitchen et al (US Patent No. 7,120,602) in view of Joao..

As per claims 21,43, 63, 77 and 79-81, the teachings of Kitchen et al are discussed above. The teachings do not explicitly state the step of presenting the price being in conjunction with at least one message-structure item comprises all the recited items. Kitchen et al teach the price and transaction information are presented and a reply is expected from the user. The Examiner submits that in the system of Joao et al, a plurality of financial transactions is affected and a message is transmitted to the user wherein the message is a visual, text or audio message. As per the specific format types of items being claimed, the Examiner notes that such do not affect the functioning of the system of Joao et al as such are only types of data relevant to a type of financial transactions. Thus, the Examiner submits that no patentable differences exist.

Incorporating such types of data format in the system of Kitchen et al would have been obvious to one of ordinary skill in the art at the time of the invention in order to inform a client or user to submit a response related to an approval/denial of a given type of transactions.

As per claims 22, 44 and 64, Kitchen et al teach transmitting at least one payment transaction authorization associated with input responsive to the communication and a mobile device being a wireless device comprises accepting input associated with the at least one payment transaction through the wireless device having a browser selected from the group that includes a WML capable browser, a CHTML capable browser, a Pocket IE HTML capable browser, a Palm Query Application capable browser and a voice XML capable browser. See column 3, line 60 to column 4, line 2 and column 7, lines 27-45 of Kitchen et al.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANTZY POINVIL whose telephone number is (571)272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantzy Poinvil/  
Primary Examiner, Art Unit 3691

/FP/  
August 29, 2011